

## FIFTEENTH DAY.

(Monday, January 31, 1927.)

The House met at 2 o'clock p. m., pursuant to adjournment, and was called to order by Speaker Bobbitt.

The roll was called, and the following members were present:

Acker.	King of Hopkins.
Albritton.	Kirkland.
Alexander.	Land.
Anderson.	Lipscomb.
Avis.	Loftin.
Barnett.	Long.
Barron.	Loy.
Bass.	McCombs.
Bateman.	McGill.
Beck.	Merritt.
Bird.	Minor.
Black.	Moore.
Boggs.	Morse.
Boon.	Moursund.
Branch.	Murphy.
Brown.	Nabors.
Conway.	Nicholson.
Cornwell.	Olsen.
Cox.	Parrish of Travis.
Cummings.	Pavlica.
Dale.	Pearce.
Daniel.	Petsch.
Davis.	Poage.
DeBerry.	Pool.
Denman.	Pope.
Dielmann.	Porter.
Dunlap.	Powell.
Durham.	Purl.
Duvall.	Ramsey.
Enderby.	Renfro.
Eickenroht.	of Angelina.
Farrar.	Renfro of Mills.
Faulk.	Rogers of Hays.
Finlay.	Rogers of Shelby.
Fly.	Rowell.
Forbes.	Runge.
Fuchs.	Sanders.
Gates.	Satterwhite.
Gibson.	Shaver.
Gilbert.	Shearer.
Graves.	Sheats.
Gray.	Shirley.
Hall.	Simmons.
Harding.	Sinks.
Harman.	Smith of El Paso.
Hefley.	Smith of Nueces.
High.	Smith of Smith.
Holder.	Smyth.
Holland.	Snelgrove.
Hornaday.	Stevenson.
Jacks.	Storey.
Johnson.	Stout.
Jones.	Sutton.
Justice.	Swain.
Kayton.	Teer.
Kemble.	Tillotson.
Kennedy.	Turner.
Kincaid.	Van Zandt.

Veatch.	Wells.
Waddell.	Whitaker.
Walker.	Williams
Wallace	of Sabine.
of Freestone.	Williams
Wallace of Panola.	of Travis.
Wallace of Smith.	Williamson.
Ware.	Woodall.
Wassell.	Woodruff.
Webb.	Young.

Absent.

Kinnear.

Absent—Excused.

Bonham.	Montgomery.
Foster.	Parish of Runnels.
Hagaman.	Rawlins.
Kenyon.	Reagan.
King of	Smith
Throckmorton.	of Atascosa.
Kirby.	Stell.
Masterson.	Taylor.
McKean.	

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

## LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Bonham for today and the balance of the week, on motion of Mr. McGill.

Mr. Reagan for today, on motion of Mr. Smith of Smith.

Mr. Rawlins for today, on motion of Mr. McCombs.

Mr. Hagaman for today, on motion of Mr. Albritton.

Mr. Montgomery for today and tomorrow, on motion of Mr. Wells.

Mr. Taylor for today, on motion of Mr. Harding.

Mr. Kenyon and Mr. Smith of Atascosa for today, on motion of Mr. Shearer.

Mr. King of Throckmorton for today and tomorrow, on motion of Mr. Boggs.

Mr. Parish of Runnels for today, on motion of Mr. Rogers.

Mr. Masterson for today, on motion of Mr. Sheats.

Mr. Foster for today, on motion of Mr. Kemble.

The following members were granted leaves of absence on account of illness:

Mr. Stell for today, on motion of Mr. Webb.

Mr. Kirby for today, on motion of Mr. Morse.

Mr. McKean for today and the balance of the week, on motion of Mr. Rogers of Hays.

## HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees as follows:

By Mr. Holland:

H. B. No. 385, A bill to be entitled "An Act to amend Section 5, of Article 8307, Part 2, Title 130, of the Revised Statutes of 1925, commonly known and referred to as the Workmen's Compensation Law, by providing what shall be necessary in pleading cases arising under this law in court, and declaring an emergency."

Referred to Committee on Labor.

By Mr. Boggs:

H. B. No. 386, A bill to be entitled "An Act to amend Article 3888 of the Revised Civil Statutes for 1925, so as to make provision for the funds out of which the salary of county judges acting as ex-officio superintendent would be paid, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Denman:

H. B. No. 387, A bill to be entitled "An Act to amend Section 2, Article 6479, Chapter 11, Title 112, of the 1925 Revised Civil Statutes of Texas, relating to operation of passenger trains on railroads in Texas."

Referred to Committee on Common Carriers.

By Mr. Holland:

H. B. No. 388, A bill to be entitled "An Act to amend Article 6626, Chapter 3, Title 115, of the Revised Civil Statutes of the State of Texas of 1925, relating to the registration of instruments in writing affecting the title to real and personal property; providing that instruments affecting any interest in real property, which has been acknowledged or proved according to law are authorized to be recorded when accompanied by a certificate from the tax collector of the county wherein property affected by said instrument in writing is located certifying that all past due State and county ad valorem taxes are paid; providing that the recording officer shall note on said instruments over his official signature the fact that such taxes have been paid, and that no such instrument shall be held to be legally filed for record until all such past due taxes shall be paid; providing that in any suit for collection of delinquent taxes proof of the registration of any written instrument, affecting property sued on,

in the manner provided shall be prima facie evidence of the payment of all past due State and county ad valorem taxes prior to the date of the registration of any such instrument; providing a penalty for the registration of any such instrument without a certificate from the tax collector certifying that all past due State and county taxes are paid."

Referred to Judiciary Committee.

By Mr. Wells:

H. B. No. 389, A bill to be entitled "An Act amending Section 43, of Chapter 172, of the General Laws of the Regular Session of the Thirty-ninth Legislature, relating to game and game preserves; better providing for game preserves and the protection of game; granting authority to the Game, Fish and Oyster Commissioner to designate as State game preserves public waters or streams and public highways where they run through, are located in, or run along the side of any designated State game preserve, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Cox:

H. B. No. 390, A bill to be entitled "An Act authorizing the creation of a junior college in any county in the State of Texas having taxable values of property of not less than twenty-five million (\$25,000,000) dollars, and providing for the establishment and operation of a junior college in such county; prohibiting the use of funds received from the State available school fund for such purposes; prohibiting the use of other State funds for such purposes unless specifically appropriated therefor by the State Legislature; providing for the issuance of bonds and the holding of elections for such purposes; providing for the levying and collection of taxes to retire such bonds and to maintain and operate such college; providing for government and administration of such junior college by a board of five school trustees, and the granting of powers and duties to such trustees for the control, management and operation of such college; and repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

Referred to Committee on Education.

By Mr. Walker:

H. B. No. 391, A bill to be entitled "An Act to secure uniformity in election of school trustees and boards of education in independent school dis-

tricts; severing all public school affairs from the municipal government; repealing Article 2774, of Chapter 13, of Title 49 of the Revised Civil Statutes of the State of Texas, 1925; providing for special election of trustees or school boards, and repealing all laws or parts of laws in conflict therewith, and declaring an emergency."

Referred to Committee on Education.

By Mr. Barnett:

H. B. No. 392, A bill to be entitled "An Act granting an extension of time for the payment of 1926 county and State taxes in Hunt and Rains counties of two hundred and thirty days after such taxes become delinquent under present laws, so that no penalties or interest shall accrue on non-payment of such taxes until after the expiration of said two hundred and thirty days, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Land and Mr. Young:

H. B. No. 393, A bill to be entitled "An Act to amend Article 678 of the Code of Criminal Procedure of the State of Texas, providing that if the jury disagrees as to the statement of any witness, they may, upon applying to the court, have such witness recalled, or may have the court reporter to read such witness' testimony given before the court on the trial of the case."

Referred to Committee on Criminal Jurisprudence.

By Mr. Land and Mr. Young:

H. B. No. 394, A bill to be entitled "An Act to amend Article 1056 of the Code of Criminal Procedure of the State of Texas of 1925, changing the pay of grand jurors to three dollars per day, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Sutton:

H. B. No. 395, A bill to be entitled "An Act determining and fixing the annual salary of the county superintendent of public instruction of Bell county, Texas; providing for the payment of said salary; providing for the payment of office and traveling expenses, and declaring an emergency."

Referred to Committee on Education.

By Mr. Moursund and Mr. Alexander:

H. B. No. 396, A bill to be entitled "An Act to amend Article 1302, Revised

Statutes of 1925, Subdivision 54 thereof, authorizing the incorporation of clearing houses; providing for the maintenance of suitable rooms for the conduct of the business of such associations; authorizing the establishment and maintenance of uniformity in commercial usages among the members thereof; prescribing the type of banking corporations that may become members of such associations; authorizing the acquisition, preservation and dissemination and exchange between the members of such associations, or by the members of such associations, through said associations, of valuable business information upon the borrowers from such members, and upon the customers of the members of such associations; authorizing the adoption of rules, regulations and standards of conduct governing the members of such associations; authorizing the employment of clearing house examiners and assistants, their payment, and the prescribing of their duties; authorizing the adoption of rules and regulations by the members of such associations governing the admission of members to such associations and their expulsion therefrom; authorizing the joining with other clearing house associations in the joint employment of clearing house examiners and the maintenance of a system of clearing house examinations of the members of such associations; and the authorizing, adoption, promulgation and establishment of such rules and regulations as will, in the judgment of the members of such associations, contribute to the safety and solvency of the members of such associations, and the protection of the depositors of such members of such associations, and for other purposes, and declaring an emergency."

Referred to Committee on Banks and Banking.

By Mr. Wassell:

H. B. No. 397, A bill to be entitled "An Act amending Articles 2022 and 2026, and repealing Article 2023, of the Revised Civil Statutes of the State of Texas, 1925, relating to the requisites, issuance and service of citations, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Smyth:

H. B. No. 398, A bill to be entitled "An Act to provide for the designing, purchase and installation of a memorial tablet in the Texas Memorial Stadium, commemorating the services of Texas

men and women who served in the World War; providing for a committee to design, select and install the tablet herein provided for; making an appropriation for all expenses incident thereto, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Jacks, Mr. Davis and Mr. McCombs:

H. B. No. 399, A bill to be entitled "An Act repealing Articles 3959 and 3960, of Title 63, of the Revised Statutes of the State, 1925, and being a part of the Acts of the 1923 Legislature; providing that buildings owned by the State or by any city, county or school district should be required to place fire escapes thereon as provided by the said act, and repealing any other portion of the said act, being Title 63 of the Revised Statutes of 1925; providing that the Attorney General or county attorney may enforce the same against the officials, or board of commissioners in charge, by injunction and other process, and repealing any portion of Article 3956 of said title, relative to school houses, and declaring an emergency."

Referred to Committee on State Affairs.

#### HOUSE JOINT RESOLUTIONS ON FIRST READING.

The following House joint resolutions, introduced today, were laid before the House, read severally first time and referred to Committee on Constitutional Amendments:

By Mr. Harman, Mr. Daniel, Mr. Johnson, Mr. Young, Mr. Sutton, Mr. Hall, Mr. Hornaday, Mr. Kemble and Mr. Jones:

H. J. R. No. 24, Providing for a convention to frame a Constitution for the State of Texas.

By Mr. Stevenson:

H. J. R. No. 25, To amend Article 8 of the Constitution by adding thereto Section 1a, providing that the sources of income derived from taxation may be divided, in whole or in part, so that there may be a different source of taxation for the maintenance of the State Government and the maintenance and expenses of the political divisions of the State; also that there may be different rates of taxation and different classes of property; also that the State may make provision for the payment of in-

terest and sinking fund charges on bonds where taxes have been remitted to pay such charges and where such remission of taxes may become insufficient to meet such charges.

#### COMMUNICATION FROM ATTORNEY GENERAL.

On motion of Mr. Woodall, the following communication from the Attorney General was ordered printed in the Journal:

January 28, 1927.

Hon. Benjamin Woodall, Chairman of Committee on School Districts, House of Representatives, Austin.

Dear Mr. Woodall: In your communication of January 21, you submit for an opinion the following questions:

"1. Does the Legislature, under the Constitutional amendment, have authority to consider legislation tending to the establishment of independent school districts in this State?

"2. Does the Legislature of Texas have power to repeal, alter or change legislation already enacted prior to the adoption of the amendment?"

You state that there is now pending before the Legislature, a bill seeking to repeal a special law of the Thirty-ninth Legislature, creating an independent school district.

We have had several inquiries from various members of the Legislature presenting many phases of the question involved as to the authority of the Legislature in the matter of creating, repealing and amending previous special acts creating independent school districts. I have, therefore, given the entire subject matter very careful consideration, and present in this opinion an answer to all questions which I think will arise growing out of the recent constitutional amendment, which prohibits the Legislature from passing any special law creating an independent school district.

Prior to the adoption of the amendment, the Constitution granted the Legislature power "for the formation of school districts by general or special law, without the local notice required in other cases of special legislation." (Article 7, Section 3.)

Article 3, Section 56, then provided, and still provides, that the Legislature shall not, "except as otherwise provided in this Constitution, pass any local or special law regulating the affairs" of school districts.



This provision in connection with Article 7, Section 3, was construed by our Supreme Court to authorize the formation of school districts by special law without the local notice required under Article 3, Section 57, by reason of which there have been created seven or eight hundred independent school districts by special law, without local notice.

The amendment recently adopted, and now effective, has substituted in lieu of the former provision of Article 7, Section 3, the following:

"And the Legislature may also provide for the formation of school districts by general laws."

This, of course, takes away the power to create school districts by special law, and as it must be construed in connection with Article 3, Sections 56 and 57, the Legislature is now prohibited from creating a school district by special law, even though the local notice might be given as provided in Section 57. This, for the reason that Section 56 of this article absolutely prohibits the regulation of the affairs of school districts by special law, unless it is authorized by some other provision of the Constitution, and since the recent amendment prohibits this, these acts cannot be passed as special laws, but can now be created only by general law.

Article 7, Section 3, prior to its amendment, in addition to providing that the Legislature might by special law create school districts, also authorized the passage of laws for the assessment and collection of taxes, and for the management and control of the public school, or schools, of such districts. Under this provision, the Legislature had the power not only to create a district by special act without notice, but also to provide in the act of creation, for the assessment and collection of taxes, and for the management and control of the public schools of such districts. This being true, the numerous districts created were of various and sundry types, each having such provisions as to the management and control of the schools, and the collection of taxes, as might be desired for the particular community.

While the amendment of this article still contains the provision for the assessment and collection of taxes, and the management and control of the schools, it must be construed in connection with the manner in which districts may now be formed.

In view of the provisions of Article 3, Section 56, that unless authorized by the Constitution, no local or special law can be passed regulating the affairs of school districts, and the fact that the amendment to the Constitution takes away from the Legislature any power to regulate the affairs of school districts by special law, it necessarily follows that it cannot now, since the amendment has become effective, pass any local or special law regulating the affairs of school districts, either as to the assessment and collection of taxes, the management and control of the schools, or in any other matter. This prevents it from passing any local or special law as to any particular school district now in existence, under which it is sought to amend any of the provisions of the existing local law; that is to say, so as to enlarge boundaries, restrict boundaries, regulate tax rates, the assessment and collection of taxes, the management and control of the public schools, or in any other matter. This can now be done only by general law. It cannot be done, either by local or special law, even though local notice should be given as required in Section 56 of Article 3, because of the fact that there is an absolute prohibition in Section 56, of the passage of any local or special law regulating the affairs of school districts, unless the Constitution expressly authorizes this particular thing to be done, and nowhere does the Constitution authorize it. Therefore, this particular kind of a local or special law is taken out of the provisions of Section 56 of Article 3.

A different situation exists in answer to the question as to whether or not the Legislature can now repeal any law heretofore passed, creating an independent school district by name. This is answered by the well established principle that the Legislature has the inherent power to repeal a special act, although the constitutional authority to pass such an act has been withdrawn. This has been definitely determined in our State in the case of *Central Wharf Company vs. City of Corpus Christi*, 57 S. W. 982, *Thompson vs. State*, 56 S. W. 603, and *the City of Oak Cliff vs. State*, 77 S. W. 24. The proposition is well supported by decisions from other jurisdictions, and although under the constitutional provisions now in existence, the Legislature cannot enact a special law creating independent school districts, it has the

inherent power to repeal such special acts.

In one of the cases cited, that of *Thompson vs. State*, the Court of Civil Appeals at Galveston, speaking through Judge Garrett, used this language:

"This court would hesitate to hold that the Legislature could not repeal the charter of a municipal corporation without giving notice of its intention to do so, although the law would be local in its application."

This expression of the court was probably not necessary to a decision of the issue involved, but many of the courts of other jurisdictions hold that a special act of the Legislature may be repealed by general law without notice. You are advised, however, that there is some doubt as to this under the provisions of our Constitution, and in order to repeal any of the special acts now existing creating independent school districts, notice of an intention to introduce such law, it being local and special in its nature, should be given as provided in Article 3, Section 57.

Various questions have been submitted to this department as to general laws regulating the dissolution of existing independent school districts created by special act and the formation of new districts, and I deem it advisable, therefore to suggest to your committee some established principles by which you should be guided in the preparation of such laws.

1. An act of the Legislature providing for the abolishing of an independent school district, which has outstanding indebtedness, must make adequate provision for the payment of such indebtedness, or else the law will be invalid as impairing the obligation of contracts.

2. If an act of the Legislature provides for the combination of an existing independent school district, which has a bonded indebtedness with other territory which has no bonded indebtedness, such other territory cannot be made liable for the existing indebtedness without a vote of the majority of the taxpayers of the new district created.

3. Where territory embraced within a school district, having bonded or other indebtedness, is detached from such district, such indebtedness and the taxes voted for the payment thereof continue in force and constitute a lien on such territory, although it be combined with other territory to form another school district.

4. Where territory embraced within a school district upon which a tax is voted is added to another district, such other district may be empowered to levy and collect such tax.

5. An act of the Legislature may provide that the title to property of a school district, which becomes a part of another school district, shall vest in such other district or its governing officers.

The general principles should be strictly adhered to in the preparation of all general laws passed by your body, providing for the abolishment of old districts, whether created by general or special law, and for the creation or new districts. Care should be taken that provision is made for the payment of existing bonded and other indebtedness of all districts, or parts of districts which may become combined with other districts, or added to same. A new district formed by the combination of districts, or by the combination of a district and additional territory, will not, as such, become liable for previous bonded or other indebtedness, except by a vote of the majority of the property taxpaying voters of the new district.

I hope this general discussion of the situation which confronts the Legislature may give you such information as you desire. Be assured that this department is willing and anxious to render such assistance to your committee and the Legislature toward readjustment of things to conform to the amended Constitution, as may be desired.

I specifically answer the two inquiries which you have presented to this department, and some others which have been presented, as follows:

1. The Legislature has no authority to pass a local or special law creating an independent school district.

2. The Legislature has the power to repeal any special law heretofore passed creating an independent school district, but this being a local and special law, notice of an intention to introduce it should be given under the provisions of Article 3, Section 57.

3. The Legislature has no power by special or local law to amend any local law heretofore passed, creating an independent school district, even though notice of an intention to introduce such a special law might be given, under the provisions of Article 3, Section 57.

4. All general laws passed by the Legislature for the abolishment of existing independent school districts,

whether created by special or general law, should provide for the payment of existing bonded or other indebtedness against such districts, or parts thereof.

5. Any general law, providing for the creation of independent school districts by the combination of existing districts, or the addition of territory to existing districts, or the taking away of territory from existing districts, if it is sought to have the new district assume any bonded or other indebtedness, should provide for an election upon such question, at which a majority of the taxpaying voters should vote in favor thereof.

In view of the difficulties which may hereafter arise in this department in the matter of issuance of bonds, by districts which may be created by general law, under the amended Constitution, I would prefer that prior to final passage, and at such period during the course of enactment as that amendment may be made, that they be submitted to this department for such suggestions as we may deem advisable. By doing this probably much difficulty in the future may be avoided.

Yours very truly,

CLAUDE POLLARD.

#### BILLS WITHDRAWN.

On motion of Mr. Woodall, by unanimous consent, House bill No. 338 was withdrawn from further consideration by the House.

On motion of Mr. Cornwell, by unanimous consent, House bills Nos. 229 and 230 were withdrawn from further consideration by the House.

#### RELATING TO HOUSE BILL NO. 11.

On motion of Mr. Rogers of Shelby, the Engrossing Clerk was authorized to make a correction in the caption of House bill No. 11.

#### COMMUNICATION FROM BAYLOR UNIVERSITY.

The Speaker laid before the House and had read the following communication:

Waco, Texas, January 29, 1927.

Please accept the sincere thanks and profound appreciation of Baylor University—her president and officers, her faculty and her student body—for your thoughtful and tender message of condolence and sympathy. Its import will

be made known to each of the bereaved families.

T. D. BROOKS,  
HENRY TRANTHAM,  
IRENE MARSCHALL,  
MORLEY JENNINGS,  
C. D. JOHNSON,  
Committee.

#### RELATING TO PRODUCTION OF COTTON.

Mr. Merritt offered the following resolution:

H. C. R. No. 18, Relating to production of cotton.

Whereas, The farmers of Texas are now facing a great crisis arising in connection with the over-production of cotton; and

Whereas, The over-production of cotton has been largely due to the fact that many portions of the United States and of foreign countries as well, which formerly produced no cotton, have begun the raising of cotton in large quantities within recent years; and

Whereas, The farmers of Texas and of the South generally, by individual as well as concerted and organized action, are now doing everything possible to bring about a reduction of acreage devoted to the raising of cotton; and

Whereas, The increase of cotton acreage brought about by the raising of cotton in areas where it is not now raised will greatly complicate the problem with which the farmers of Texas and the South are compelled to deal and will largely tend to defeat their efforts and will increase the enormous losses they are now suffering, without any real permanent benefit to any one; and

Whereas, There is now pending a bill in the Congress of the United States, commonly referred to as the Swing-Johnson bill, which provides for the appropriation of \$125,000,000 from the Treasury of the United States for the purpose of constructing a dam six hundred feet high—being three hundred feet higher than any similar structure in the world—over the Colorado river at Boulder Canyon, on the line between the States of Arizona and Nevada, for the purpose of impounding the waters of that river and producing water power, the water impounded to be used for irrigation purposes and particularly for the purpose of irrigating Arizona and all of the southern portion of California, where cotton is not now raised, except in small quantities, but with irrigation could be raised in large quantities; and



Whereas, It is apparent that the passage of this bill and the erection of the dam in question would bring about an immense increase of cotton acreage in that portion of the United States; and

Whereas, This bill involves an appropriation of a large sum of money from the Treasury of the United States for the benefit only of a small locality; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That this bill involves a wrong principle and that the natural effect of such a law must be to increase the acreage which may be devoted to the raising of cotton and other agricultural products, thus bringing about a still greater over-production of cotton and agricultural products generally, with great resulting loss to the farming interests of this State and of the Nation, and for the purpose only of creating an apparent, though not a real and permanent benefit to the people of the two States mentioned; and be it further

Resolved, That it is the sense of the Legislature of Texas that no sound reason can be given why such an immense appropriation from the National Treasury should be made, even though it may serve to aid the people of the two States mentioned, where its necessary effect is to greatly complicate the problems and increase the losses now being suffered by the agricultural interests of this State and of the Nation generally; and be it further

Resolved, That a copy of this resolution be forwarded to the Senators and Representatives representing the State of Texas in the Congress of the United States.

The resolution was read second time.

On motion of Mr. Merritt, the resolution was referred to the Committee on Agriculture.

#### RELATING TO HOUSE BILL NO. 56.

Mr. Loftin moved to reconsider the vote by which House bill No. 56 failed to pass to engrossment, and asked to have the motion to reconsider spread on the Journal.

#### BILLS ORDERED NOT PRINTED.

On motion of Mr. Cornwell, House bill No. 256 was ordered not printed.

On motion of Mr. Waddell, House bill No. 250 was ordered not printed.

#### HOUSE BILL NO. 98 ON SECOND READING.

On motion of Mr. Daniel, the regular

order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 98, A bill to be entitled "An Act amending Article 324 of the Revised Civil Statutes of the State of Texas by providing for the payment of assistant district attorneys in districts in which there is situated a city of 28,000 population and over, and for the removal of such assistant district attorneys, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Daniel offered the following amendment to the bill:

Amend House bill No. 98 by striking out "in districts in which there is situated a city of twenty-eight thousand population and over, the district attorney thereof shall appoint one assistant district attorney" in lines 15, 16, 17 and 18, and substituting the following: "The district attorney shall appoint one assistant district attorney in districts consisting of more than one county, in which there is situated a city of twenty-eight thousand population or over according to the last preceding United States census, or any United States census which may hereafter be taken."

The amendment was adopted.

House bill No. 98 was then passed to engrossment.

#### HOUSE BILL NO. 98 ON THIRD READING.

Mr. Daniel moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 98 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Mr. Speaker.	DeBerry.
Acker.	Dunlap.
Alexander.	Duvall.
Anderson.	Eickenroht.
Barnett.	Farrar.
Bateman.	Faulk.
Beck.	Finlay.
Bird.	Fly.
Black.	Forbes.
Boggs.	Fuchs.
Boon.	Gates.
Branch.	Gibson.
Conway.	Gilbert.
Cornwell.	Graves.
Cox.	Gray.
Cummings.	Hall.
Daniel.	Harding.



Harman.	Rogers of Shelby.
Hefley.	Rowell.
High.	Runge.
Hornaday.	Sanders.
Jacks.	Satterwhite.
Johnson.	Shearer.
Jones.	Sheats.
Justice.	Shirley.
King of Hopkins.	Simmons.
Land.	Sinks.
Loftin.	Smith of El Paso.
Long.	Smith of Smith.
McCombs.	Smyth.
McGill.	Stevenson.
Merritt.	Storey.
Minor.	Teer.
Moore.	Tillotson.
Morse.	Turner.
Moursund.	Waddell.
Murphy.	Walker.
Nabors.	Wallace of Panola.
Nicholson.	Wallace of Smith.
Parrish of Travis.	Ware.
Pavlica.	Wassell.
Pearce.	Webb.
Petsch.	Williams
Pool.	of Sabine.
Pope.	Williams
Porter.	of Travis.
Powell.	Williamson.
Ramsey.	Woodall.
Renfro of Mills.	Woodruff.
Rogers of Hays.	Young.

## Nays—12.

Albritton.	Renfro
Enderby.	of Angelina.
Kennedy.	Snelgrove.
Kirkland.	Stout.
Loy.	Van Zandt.
Olsen.	Veatch.
	Whitaker.

## Present—Not Voting.

Denman.

## Absent.

Avis.	King of
Bass.	Throckmorton.
Brown.	Kirby.
Dale.	Lipscomb.
Davis.	Masterson.
Dielmann.	Poage.
Durham.	Purl.
Holder.	Shaver.
Holland.	Sutton.
Kayton.	Swain.
Kemble.	Wallace
Kenyon.	of Freestone.
Kincaid.	Wells.
Kinnear.	

## Absent—Excused.

Barron.	Hagaman.
Bonham.	McKean.
Foster.	Montgomery.

Parish of Runnels.	Smith of Nueces.
Rawlins.	Stell.
Reagan.	Taylor.
Smith of Atascosa.	

The Speaker then laid House bill No. 98 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—103.

Mr. Speaker.	Merritt.
Acker.	Minor.
Albritton.	Moore.
Alexander.	Morse.
Anderson.	Moursund.
Barnett.	Murphy.
Bateman.	Nabors.
Beck.	Nicholson.
Bird.	Olsen.
Black.	Parrish of Travis.
Boggs.	Pavlica.
Boon.	Pearce.
Branch.	Petsch.
Conway.	Pool.
Cornwell.	Pope.
Cox.	Porter.
Cummings.	Powell.
Dale.	Ramsey.
Daniel.	Renfro of Mills.
DeBerry.	Rogers of Hays.
Denman.	Rogers of Shelby.
Dunlap.	Runge.
Duvall.	Sanders.
Eickenroht.	Satterwhite.
Farrar.	Shearer.
Faulk.	Sheats.
Finlay.	Shirley.
Fly.	Simmons.
Forbes.	Sinks.
Gates.	Smith of El Paso.
Gibson.	Smith of Smith.
Gilbert.	Smyth.
Graves.	Stevenson.
Hall.	Storey.
Harding.	Teer.
Harman.	Tillotson.
Hefley.	Van Zandt.
High.	Waddell.
Hornaday.	Walker.
Jacks.	Wallace of Panola.
Johnson.	Wallace of Smith.
Jones.	Ware.
Justice.	Wassell.
Kemble.	Webb.
King of Hopkins.	Whitaker.
Land.	Williams
Loftin.	of Sabine.
Long.	Williams
Loy.	of Travis.
McCombs.	Williamson.
McGill.	Woodall.

## Nays—7.

Fuchs.	Kennedy.
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Kirkland.  
Snelgrove.  
Stout.

Veatch.  
Woodruff.

Absent.

Avis.  
Bass.  
Brown.  
Davis.  
Dielmann.  
Durham.  
Enderby.  
Gray.  
Holland.  
Kayton.  
Kincaid.  
Kinnear.

Lipscomb.  
Poage.  
Purl.  
Renfro  
of Angelina.  
Shaver.  
Sutton.  
Swain.  
Wallace  
of Freestone.  
Wells.  
Young.

Absent—Excused.

Barron.  
Bonham.  
Foster.  
Hagaman.  
Holder.  
Kenyon.  
King of  
Throckmorton.  
Kirby.  
Masterson.

McKean.  
Montgomery.  
Parish of Runnels.  
Rawlins.  
Reagan.  
Smith  
of Atascosa.  
Smith of Nueces.  
Stell.  
Taylor.

#### HOUSE BILL NO. 112 ON SECOND READING.

On motion of Mr. Runge, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 112, relating to terms of district court in the Thirty-third Judicial District.

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

#### HOUSE BILL NO. 112 ON THIRD READING.

Mr. Runge moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 112 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.

Mr. Speaker.  
Alexander.  
Anderson.  
Avis.  
Barnett.  
Beck.  
Bird.  
Black.  
Boggs.  
Boon.

Branch.  
Brown.  
Conway.  
Cornwell.  
Cox.  
Cummings.  
Daniel.  
Davis.  
DeBerry.  
Denman.

Dunlap.  
Duval.  
Eickenroht.  
Farrar.  
Faulk.  
Finlay.  
Fly.  
Forbes.  
Gates.  
Gibson.  
Gilbert.  
Gray.  
Hall.  
Harding.  
Harman.  
Hefley.  
High.  
Holland.  
Hornaday.  
Jacks.  
Johnson.  
Jones.  
Justice.  
Kemble.  
Kincaid.  
King of Hopkins.  
Kirkland.  
Land.  
Loftin.  
Long.  
McCombs.  
McGill.  
Merritt.  
Minor.  
Moore.  
Morse.  
Moursund.  
Murphy.  
Nabors.  
Nicholson.  
Parrish of Travis.  
Pavlica.  
Pearce.

Petsch.  
Pool.  
Pope.  
Porter.  
Powell.  
Ramsey.  
Renfro  
of Angelina.  
Renfro of Mills.  
Rogers of Hays.  
Rowell.  
Runge.  
Sanders.  
Satterwhite.  
Shaver.  
Shearer.  
Sheats.  
Shirley.  
Simmons.  
Sinks.  
Smith of El Paso.  
Smith of Smith.  
Stevenson.  
Storey.  
Stout.  
Swain.  
Teer.  
Tillotson.  
Turner.  
Waddell.  
Wallace  
of Freestone.  
Wallace of Panola.  
Wallace of Smith.  
Ware.  
Wassell.  
Webb.  
Williams  
of Sabine.  
Williamson.  
Woodall.  
Woodruff.

Nays—10.

Albritton.  
Bass.  
Fuchs.  
Kennedy.  
Loy.

Olsen.  
Snelgrove.  
Van Zandt.  
Walker.  
Whitaker.

Absent.

Acker.  
Bateman.  
Dale.  
Dielmann.  
Durham.  
Enderby.  
Graves.  
Kayton.  
Kinnear.  
Lipscomb.

Poage.  
Purl.  
Rogers of Shelby.  
Smyth.  
Sutton.  
Veatch.  
Wells.  
Williams  
of Travis.  
Young.

Absent—Excused.

Barron.  
Bonham.

Foster.  
Hagaman.

Holder.	Parish of Runnels.
Kenyon.	Rawlins.
King of	Reagan.
Throckmorton.	Smith
Kirby.	of Atascosa.
Masterson.	Smith of Nueces.
McKean.	Stell.
Montgomery.	Taylor.

Wallace	Williams
of Freestone.	of Sabine.
Wallace of Panola.	Williams
Wallace of Smith.	of Travis.
Ware.	Williamson.
Wassell.	Woodall.
Webb.	Woodruff.

Present—Not Voting.

The Speaker then laid House bill No. 112 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—112.

Mr. Speaker.	Land.
Acker.	Long.
Albritton.	Loy.
Alexander.	McCombs.
Anderson.	McGill.
Avis.	Merritt.
Barnett.	Minor.
Bass.	Moore.
Bateman.	Morse.
Beck.	Moursund.
Black.	Murphy.
Boggs.	Nabors.
Boon.	Nicholson.
Branch.	Olsen.
Brown.	Parrish of Travis.
Conway.	Pavlica.
Cornwell.	Pearce.
Cox.	Pool.
Cummings.	Pope.
Dale.	Porter.
Daniel.	Powell.
Davis.	Ramsey.
DeBerry.	Renfro
Denman.	of Angelina.
Duvall.	Rogers of Hays.
Eickenroht.	Rowell.
Farrar.	Runge.
Faulk.	Sanders.
Fly.	Satterwhite.
Forbes.	Shaver.
Fuchs.	Shearer.
Gates.	Sheats.
Gibson.	Shirley.
Gilbert.	Simmons.
Graves.	Sinks.
Gray.	Smith of El Paso.
Hall.	Smith of Smith.
Harding.	Smyth.
Harman.	Snelgrove.
Hefley.	Stevenson.
High.	Storey.
Holland.	Stout.
Hornaday.	Swain.
Jacks.	Teer.
Jones.	Tillotson.
Justice.	Turner.
Kemble.	Van Zandt.
Kennedy.	Veatch.
King of Hopkins.	Waddell.
Kirkland.	Walker.

Whitaker.

Absent.

Bird.	Poage.
Dielmann.	Purl.
Dunlap.	Rawlins.
Durham.	Reagan.
Enderby.	Renfro of Mills.
Finlay.	Rogers of Shelby.
Johnson.	Smith
Kayton.	of Atascosa.
Kincaid.	Smith of Nueces.
Kinnear.	Stell.
King of	Sutton.
Throckmorton.	Wells.
Lipscomb.	Young.
Petsch.	

Absent—Excused.

Barron.	Kirby.
Bonham.	Masterson.
Foster.	McKean.
Hagaman.	Montgomery.
Holder.	Parish of Runnels.
Kenyon.	Taylor.

## HOUSE BILL NO. 150 ON SECOND READING.

On motion of Mr. Holland, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 150, A bill to be entitled "An Act to amend Article 1036, Title 15, Chapter 1, of Code of Criminal Procedure of the State of Texas of 1925, allowing witness fees and mileage in all out county felony cases in the sum of five cents per mile for each mile traveled going to and from the court or grand jury and two dollars per day for each day of service of such witnesses in all cases who attend in obedience to any process issued by any grand jury or any court in this State other than county of their residence."

The Speaker laid the bill before the House, and it was read second time.

Mr. Holland offered the following amendments to the bill:

Amend House bill No. 150 in the caption, line 7, by striking out the figure "one" after the word "Chapter" and insert the figure "two" instead.

Amend House bill No. 150 in line 16,



after the word "Chapter" by striking out the figure "one" and insert the figure "two" instead.

The amendments were severally adopted.

House bill No. 150 was then passed to engrossment.

### HOUSE BILL NO. 150 ON THIRD READING.

Mr. Holland moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 150 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—103.

Mr. Speaker.	King of Hopkins.
Alexander.	Kirkland.
Anderson.	Land.
Avis.	Loftin.
Bateman.	Long.
Beck.	McCombs.
Bird.	McGill.
Black.	Merritt.
Boggs.	Moore.
Boon.	Morse.
Branch.	Murphy.
Brown.	Nabors.
Conway.	Nicholson.
Cornwell.	Parrish of Travis.
Cox.	Pavlica.
Cummings.	Pearce.
Daniel.	Petsch.
Davis.	Poage.
DeBerry.	Pool.
Denman.	Pope.
Dunlap.	Porter.
Duvall.	Powell.
Enderby.	Ramsey.
Eickenroht.	Renfro
Farrar.	of Angelina.
Faulk.	Renfro of Mills.
Finlay.	Rogers of Hays.
Fly.	Rogers of Shelby.
Forbes.	Rowell.
Fuchs.	Runge.
Gates.	Sanders.
Gibson.	Shaver.
Gilbert.	Shearer.
Graves.	Sheats.
Gray.	Simmons.
Hall.	Sinks.
Harding.	Smith of El Paso.
Harman.	Smith of Smith.
Hefley.	Smyth.
Holland.	Stevenson.
Hornaday.	Storey.
Jacks.	Swain.
Johnson.	Teer.
Jones.	Turner.
Justice.	Van Zandt.
Kemble.	Waddell.
Kennedy.	Wallace of Panola.

Wallace of Smith.	Williams
Ware.	of Travis.
Wassell.	Williamson.
Webb.	Woodall.
Williams	Woodruff.
of Sabine.	Young.

Nays—11.

Albritton.	Snelgrove.
Barnett.	Stout.
Loy.	Walker.
Minor.	Wallace
Satterwhite.	of Freestone.
Shirley.	Whitaker.

Absent.

Acker.	Kinnear.
Bass.	Lipscomb.
Dale.	Moursund.
Dielmann.	Olsen.
Durham.	Purl.
Foster.	Sutton.
High.	Tillotson.
Kayton.	Veatch.
Kincaid.	Wells.

Absent—Excused.

Barron.	Montgomery.
Bonham.	Parish of Runnels.
Hagaman.	Rawlins.
Holder.	Reagan.
Kenyon.	Smith
King of	of Atascosa.
Throckmorton.	Smith of Nueces.
Kirby.	Stell.
Masterson.	Taylor.
McKean.	

The Speaker then laid House bill No. 150 before the House on its third reading and final passage.

The bill was read third time.

Mr. Farrar offered the following amendment to the bill:

Amend House bill No. 150 by striking out the words "5 cents" in lines 24 and 25 and insert "3.6 cents."

On motion of Mr. Holland the amendment was tabled.

(Mr. Petsch in the chair.)

Mr. Veatch offered the following amendment to the bill:

Amend House bill No. 150 by striking out "5 cents" in line 24 and 25 and insert in lieu thereof "4 cents per mile"; also strike out "5 cents per mile" in lines 32 and 33 and insert "4 cents per mile," and amend caption to conform.

Mr. Loftin moved to table the amendment and the motion to table was lost.

Question then recurring on the amendment, it was adopted.

Mr. Holland moved the previous ques-

tion on the final passage of the bill and the main question was ordered.

House bill No. 150 was then finally passed by the following vote:

## Yeas—106.

Acker.	McGill.
Alexander.	Merritt.
Anderson.	Minor.
Avis.	Moore.
Barnett.	Morse.
Bass.	Moursund.
Beck.	Murphy.
Bird.	Nabors.
Black.	Nicholson.
Boggs.	Olsen.
Branch.	Pavlica.
Brown.	Poage.
Conway.	Pool.
Cornwell.	Pope.
Cummings.	Porter.
Dale.	Powell.
Daniel.	Purl.
Davis.	Ramsey.
DeBerry.	Renfro
Denman.	of Angelina.
Dunlap.	Renfro of Mills.
Durham.	Rogers of Hays.
Enderby.	Rogers of Shelby.
Eickenroht.	Rowell.
Farrar.	Runge.
Faulk.	Sanders.
Finlay.	Satterwhite.
Fly.	Shaver.
Forbes.	Shearer.
Fuchs.	Sheats.
Gates.	Simmons.
Gibson.	Smith of El Paso.
Gilbert.	Smith of Smith.
Graves.	Snelgrove.
Gray.	Stevenson.
Hall.	Storey.
Harding.	Swain.
Harman.	Teer.
Hefley.	Turner.
High.	Van Zandt.
Holland.	Veatch.
Hornaday.	Waddell.
Jacks.	Wallace of Panola.
Johnson.	Wallace of Smith.
Justice.	Ware.
Kemble.	Wassell.
Kennedy.	Webb.
King of Hopkins.	Whitaker.
Kirkland.	Williams
Land.	of Sabine.
Lipscomb.	Williams
Loftin.	of Travis.
Long.	Williamson.
McCombs.	Young.

## Nays—9.

Albritton.	Walker.
Boon.	Wallace
Shirley.	of Freestone.
Sinks.	Woodall.
Stout.	Woodruff.

## Absent.

Bateman.	McKean.
Cox.	Montgomery.
Dielmann.	Parish of Runnels.
Duval.	Parrish of Travis.
Foster.	Petsch.
Jones.	Smyth.
Kayton.	Sutton.
Kincaid.	Tillotson.
Kinnear.	Wells.
Loy.	

## Absent—Excused.

Barron.	Masterson.
Bonham.	Rawlins.
Hagaman.	Reagan.
Holder.	Smith
Kenyon.	of Atascosa.
King of	Smith of Nueces.
Throckmorton.	Stell.
Kirby.	Taylor.

(Speaker in the chair.)

## HOUSE BILL NO. 57 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, H. B. No. 57, A bill to be entitled "An Act to amend Articles 2238, 2239 and 2240, of the Revised Civil Statutes of Texas of 1925, by adding Articles 2242a and 2241b, providing that if appellant or his attorney delivers bills of exceptions and statements of fact to appellee or his attorney, and same are not returned to the appellant or his attorney, approved or disapproved within ten days after same have been delivered to him, the judge of the trial court shall thereupon, on proof being offered by appellant or his attorney that ten days or more have elapsed and that said bills of exceptions and statements of facts have not been returned to appellant or his attorney, make out and file proper bills of exceptions and statement of facts."

The bill was read third time and was passed by the following vote:

## Yeas—103.

Acker.	Cornwell.
Alexander.	Dale.
Anderson.	Daniel.
Barnett.	Davis.
Bass.	DeBerry.
Bateman.	Denman.
Beck.	Durham.
Black.	Enderby.
Boggs.	Eickenroht.
Boon.	Farrar.
Branch.	Faulk.
Brown.	Finlay.
Conway.	Fly.

Forbes.	Ramsey.
Fuchs.	Renfro
Gates.	of Angelina.
Gibson.	Renfro of Mills.
Gilbert.	Rogers of Hays.
Graves.	Rogers of Shelby.
Gray.	Runge.
Hall.	Sanders.
Harding.	Satterwhite.
Harman.	Shaver.
Hefley.	Shearer.
Holland.	Sheats.
Hornaday.	Simmons.
Jacks.	Sinks.
Johnson.	Smith of El Paso.
Justice.	Smith of Smith.
Kemble.	Smyth.
Kincaid.	Snelgrove.
King of Hopkins.	Stevenson.
Kirkland.	Storey.
Land.	Swain.
Lipscomb.	Teer.
Loftin.	Van Zandt.
Long.	Waddell.
McCombs.	Walker.
Merritt.	Wallace of Panola.
Minor.	Wallace of Smith.
Moore.	Ware.
Morse.	Wassell.
Moursund.	Webb.
Murphy.	Wells.
Nabors.	Whitaker.
Nicholson.	Williams
Olsen.	of Sabine.
Parrish of Travis.	Williams
Pavlica.	of Travis.
Petsch.	Woodall.
Poage.	Woodruff.
Pope.	Young.
Powell.	

Nays—2.

Albritton.	Shirley.
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Present—Not Voting.

Bird.	Kennedy.
High.	Turner.

Absent.

Avis.	Pearce.
Cox.	Pool.
Cummings.	Porter.
Dielmann.	Purl.
Dunlap.	Rowell.
Duvall.	Stout.
Foster.	Sutton.
Jones.	Tillotson.
Kayton.	Veatch.
Kinnear.	Wallace
Loy.	of Freestone.
McGill.	Williamson.

Absent—Excused.

Barron.	Hagaman.
Bonham.	Holder.

Kenyon.	Parish of Runnels.
King of	Rawlins.
Throckmorton.	Reagan.
Kirby.	Smith of Atascosa.
Masterson.	Smith of Nueces.
McKean.	Stell.
Montgomery.	Taylor.

## HOUSE BILL NO. 75 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, H. B. No. 75, A bill to be entitled "An Act to further regulate the contest of certificates of nomination in primary elections, by amending Article 3152 of the Revised Civil Statutes of 1925."

The bill was read third time and was passed by the following vote:

Yeas—99.

Acker.	King of Hopkins.
Albritton.	Kirkland.
Alexander.	Land.
Anderson.	Loftin.
Avis.	Long.
Barnett.	Loy.
Bass.	Merritt.
Bateman.	Minor.
Beck.	Moore.
Black.	Morse.
Boggs.	Moursund.
Branch.	Murphy.
Brown.	Nabors.
Conway.	Nicholson.
Cornwell.	Olsen.
Dale.	Parrish of Travis.
Daniel.	Pavlica.
Davis.	Petsch.
DeBerry.	Poage.
Denman.	Pope.
Durham.	Ramsey.
Enderby.	Renfro
Eickenroht.	of Angelina.
Farrar.	Renfro of Mills.
Faulk.	Runge.
Finlay.	Sanders.
Fly.	Satterwhite.
Forbes.	Shaver.
Fuchs.	Shearer.
Gates.	Sheats.
Gibson.	Simmons.
Gilbert.	Sinks.
Graves.	Smith of El Paso.
Hall.	Smith of Nueces.
Harding.	Smith of Smith.
Harman.	Snelgrove.
Hefley.	Stevenson.
High.	Storey.
Holland.	Swain.
Jacks.	Teer.
Johnson.	Van Zandt.
Justice.	Veatch.
Kemble.	Waddell.



Walker.	Whitaker.
Wallace of Panola.	Williams
Wallace of Smith.	of Sabine.
Ware.	Woodall.
Webb.	Woodruff.
Wells.	Young.

Nays—1.

McCombs.

Present—Not Voting.

Bird.	Stout.
Boon.	Turner.
Hornaday.	Wassell.
Kennedy.	Williams
Powell.	of Travis.
Rowell.	

Absent.

Cox.	Pearce.
Cummings.	Pool.
Dielmann.	Porter.
Dunlap.	Purl.
Duvall.	Shirley.
Foster.	Smyth.
Gray.	Stell.
Jones.	Sutton.
Kayton.	Tillotson.
Kincaid.	Wallace
Kinnear.	of Freestone.
Lipscomb.	Williamson.
McGill.	

Absent—Excused.

Barron.	Masterson.
Bonham.	McKean.
Hagaman.	Montgomery.
Holder.	Parish of Runnels.
Kenyon.	Rawlins.
King of	Reagan.
Throckmorton.	Smith of Atascosa.
Kirby.	Taylor.

#### BILL AND RESOLUTIONS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bill and resolutions:

S. B. No. 82, "An Act to amend Article 164 of the Revised Civil Statutes of Texas, 1925, providing that the commissioners court of any county of this State is authorized to establish and conduct co-operative demonstration work in agriculture and home economics in co-operation with the Agricultural and Mechanical College of Texas, upon such terms and conditions as may be agreed upon by the commissioners court and the agents of the Agricultural and Mechanical College of Texas; and providing that any such court may employ such means; defining the authority and

territorial jurisdiction of notaries public, and declaring an emergency."

S. C. R. No. 8, Relating to the adoption of a State bird.

S. C. R. No. 6, Relating to acquiring Alamo property in San Antonio.

#### HOUSE BILL NO. 127 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 127, A bill to be entitled "An Act to prevent deception in the sale of paints, oils, naval stores, turpentine, and providing for true labels for the same when offered for sale; providing for the enforcement of this act by the Food and Drug Division of the State Board of Health; providing for the appointment of a chemist and an inspector by the Director of the Food and Drug Division of the State Board of Health for the enforcement of this act; providing for penalties for the violation of this act; making appropriations for the payment of a chemist and an inspector to be appointed by the Director of the Food and Drug Division of the State Board of Health for the purposes of the enforcement of this act; and making an appropriation for traveling and clerical expenses incurred by the Director of the Food and Drug Division of the State Board of Health and his inspector and chemist in the enforcement of this act, and declaring an emergency."

The bill was read third time.

Mr. Rogers of Shelby offered the following amendment to the bill:

Amend House bill No. 127 by adding at end of Section 1, page 1, the following: "Provided the provisions of this act do not apply to stocks of paint now in hands of wholesale and retail dealers in this State."

The amendment was adopted.

(Pending consideration of the bill, Mr. Jacks occupied the chair temporarily.)

Question recurring on the final passage of the bill, yeas and nays were demanded.

House bill No. 127 then failed to pass by the following vote:

Yeas—50.

Barnett.	Denman.
Barron.	Enderby.
Bass.	Eickenroht.
Bateman.	Faulk.
Black.	Finlay.
Boon.	Forbes.
Brown.	Fuchs.
Dale.	Graves.

Gray.	Smyth.
Harman.	Snelgrove.
Justice.	Stevenson.
Kennedy.	Sutton.
Land.	Swain.
Lipscomb.	Turner.
Loftin.	Van Zandt.
Merritt.	Veatch.
Moore.	Walker.
Nabors.	Wallace
Olsen.	of Freestone.
Parrish of Travis.	Ware.
Pavlica.	Webb.
Pope.	Williams
Rogers of Shelby.	of Sabine.
Runge.	Woodall.
Sanders.	Woodruff.
Smith of Nueces.	Young.

## Nays—66.

Acker.	McCombs.
Albritton.	McGill.
Alexander.	Minor.
Anderson.	Morse.
Beck.	Moursund.
Branch.	Murphy.
Conway.	Nicholson.
Cornwell.	Pearce.
Cox.	Poage.
Cummings.	Pool.
Davis.	Porter.
DeBerry.	Powell.
Dunlap.	Purl.
Duvall.	Ramsey.
Farrar.	Rowell.
Fly.	Satterwhite.
Gates.	Shaver.
Gibson.	Shearer.
Gilbert.	Shirley.
Harding.	Simmons.
Hefley.	Sinks.
High.	Smith of El Paso.
Holland.	Smith of Smith.
Jacks.	Storey.
Johnson.	Stout.
Jones.	Waddell.
Kayton.	Wallace of Panola.
Kemble.	Wassell.
Kincaid.	Whitaker.
King of Hopkins.	Williams
Kirkland.	of Travis.
Long.	Williamson.
Loy.	

## Present—Not Voting.

Avis.	Renfro
Bird.	of Angelina.
Daniel.	Wallace of Smith.

## Absent.

Boggs.	Petsch.
Dielmann.	Renfro of Mills.
Durham.	Sheats.
Hall.	Teer.
Hornaday.	Tillotson.
Kinnear.	Wells.

## Absent—Excused.

Bonham.	McKean.
Foster.	Montgomery.
Hagaman.	Parish of Runnels.
Holder.	Rawlins.
Kenyon.	Reagan.
King of	Smith of Atascosa.
Throckmorton.	Stell.
Kirby.	Taylor.
Masterson.	

Mr. Purl moved to reconsider the vote by which the bill failed to pass, and to table the motion to reconsider.

The motion to table prevailed.

## MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, January 31, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. C. R. No. 14, Permitting Speaker of House and President of Senate to erase names from H. B. No. 52.

H. C. R. No. 15, Honoring Dr. J. T. Wilhite, Director of State Pasteur Institute.

S. B. No. 115, A bill to be entitled "An Act to repeal Articles 357, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 464, 466, 470, 475, 475a, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488 and 489, Revised Civil Statutes of the State of Texas adopted at the Regular Session of the Thirty-ninth Legislature; providing that bonds executed and securities deposited by State banks before the passage of this act, under the statutes hereby repealed, as members of the Bond Security System, shall not be affected by this repeal until the lapse of one year from the time of the approval of said bond by or deposit of said securities, with, the Banking Commissioner, under existing statutes, etc., and declaring an emergency."

S. B. No. 71, A bill to be entitled "An Act prescribing and fixing the number of hours that shall constitute a legal day's work on all work being performed by or on behalf of the State of Texas, or by or on behalf of any county, municipality or other legal or political subdivision of said State; providing for cases of emergency; prescribing penalties for its violation, and expressly repealing an act passed at the Regular Session of the Thirty-second Legislature, known as House bill No. 98, and

being the same act that was attempted to be vetoed by the Governor, but which veto was held ineffective by the Supreme Court because the veto message was filed with the Secretary of State after the expiration of twenty days as held by the Supreme Court in the case of *R. B. Minor et al. vs. C. C. McDonald*, Secretary of State, and expressly repealing House bill No. 298, known as Chapter 121 of the Acts of the Thirty-seventh Legislature, Regular Session of 1921, and declaring an emergency."

Respectfully,  
MORRIS C. HANKINS,  
Assistant Secretary of the Senate.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, January 31, 1927.  
Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. C. R. No. 3, Providing for printing of Legislative Manual for Fortieth Legislature, with committee amendment with engrossed rider.

S. B. No. 69, A bill to be entitled "An Act authorizing the Commissioner of Agriculture to establish, maintain and enforce quarantine regulations to protect the agricultural and horticultural interests of this State against infestation by insect pests and plant diseases; to prohibit or restrict the sale and transportation of such plants and plant products as are known to carry insect pests and plant diseases; to have full power to deal with dangerous fruit and crop pests and plant diseases in such manner as may be necessary to carry into effect provisions of this act; to have authority to declare 'pest tree' zones; providing for hearings to be held by the chief entomologist of the Department of Agriculture and others that may be designated; providing for due notice for such hearings and reports of the proceedings had; providing for appeal from the decision of the Commissioner of Agriculture; providing for declaration of 'control' or 'eradication' zones by the Commissioner of Agriculture upon recommendation of the commissioners court of any county in this State; making it the duty of the Commissioner of Agriculture to cause an investigation to be made of the existence or non-existence of any pest in an area when called upon by the commissioners court; providing for the

commissioners court to hold hearings and to make report to the Commissioner of Agriculture of its conclusions; authorizing the commissioners court to appropriate moneys to carry into effect the provisions of this act; providing for the examination and licensing of persons offering themselves as experts for hire to do tree pruning, spraying, fertilizing, budding, grove supervision, tree surgery or treatment of diseased trees or orchards; providing that this act shall be cumulative of all laws now on the statute books; providing penalties, and declaring an emergency."

Respectfully,  
MORRIS C. HANKINS,  
Assistant Secretary of the Senate.

#### HOUSE BILL NO. 128 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 128, A bill to be entitled "An Act to provide for the examination, testing and reading of electric light, power, natural and artificial gas meters used by private concerns to determine the amount of power or gas used by their consumers, on complaint made by any of said consumers, in incorporated cities, towns or villages having a population of forty thousand (40,000) or less, within this State; said examination, testing and reading to be made by the agents of the city council or city commissioners in said cities, towns or villages on complaint being made as aforesaid to them by said consumers; and further providing for the making of reports to such complaining consumers as to results of said tests, reading and examination; providing a penalty for refusal to comply with any of the provisions of this act, and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—88.

Avis.	Davis.
Barron.	DeBerry.
Bass.	Denman.
Beck.	Enderby.
Black.	Eickenroht.
Boggs.	Farrar.
Boon.	Faulk.
Branch.	Fly.
Brown.	Forbes.
Conway.	Fuchs.
Cox.	Gibson.
Cummings.	Graves.
Daniel.	Hefley.



High.	Renfro
Hornaday.	of Angelina.
Jones.	Renfro of Mills.
Justice.	Rogers of Shelby.
Kemble.	Runge.
Kennedy.	Sanders.
King of Hopkins.	Satterwhite.
Kirkland.	Shaver.
Land.	Shearer.
Lipscomb.	Sheats.
Long.	Simmons.
Loy.	Smith of Nueces.
McCombs.	Smith of Smith.
McGill.	Smyth.
Merritt.	Snelgrove.
Minor.	Storey.
Moore.	Sutton.
Morse.	Swain.
Moursund.	Teer.
Murphy.	Turner.
Nabors.	Veatch.
Olsen.	Waddell.
Parrish of Travis.	Walker.
Pavlica.	Wallace of Panola.
Pearce.	Wallace of Smith.
Poage.	Ware.
Pool.	Webb.
Pope.	Williams
Porter.	of Sabine.
Powell.	Williams
Purl.	of Travis.
Ramsey.	Woodruff.

## Nays—13.

Bird.	Rowell.
Cornwell.	Shirley.
Finlay.	Van Zandt.
Gray.	Wassell.
Harding.	Whitaker.
Johnson.	Woodall.
Nicholson.	

## Present—Not Voting.

Duvall.	Rogers of Hays.
Gilbert.	Stout.
Kayton.	Williamson.

## Absent.

Acker.	Holland.
Albritton.	Kincaid.
Alexander.	Kinnear.
Anderson.	Loftin.
Barnett.	Petsch.
Bateman.	Sinks.
Dale.	Smith of El Paso.
Dielmann.	Stevenson.
Dunlap.	Tillotson.
Durham.	Wallace
Gates.	of Freestone.
Hall.	Wells.
Harman.	Young.

## Absent—Excused.

Bonham.	Hagaman.
Foster.	Holder.

Kenyon.	Parish of Runnels.
King of	Rawlins.
Throckmorton.	Reagan.
Kirby.	Smith of Atascosa.
Masterson.	Stell.
McKean.	Taylor.
Montgomery.	

## HOUSE BILL NO. 137 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage, H. B. No. 137, A bill to be entitled "An Act to amend Article 2350 of the Revised Civil Statutes of Texas, changing the year upon which is based the assessed valuation of taxable properties affected by the act to be amended relating to the compensation of county commissioners, and declaring an emergency."

The bill was read third time and was passed by the following vote:

## Yeas—86.

Alexander.	Merritt.
Anderson.	Moore.
Barron.	Morse.
Bass.	Moursund.
Bateman.	Murphy.
Bird.	Nicholson.
Black.	Olsen.
Boon.	Parrish of Travis.
Branch.	Pavlica.
Conway.	Poage.
Cornwell.	Pool.
Cox.	Pope.
Cummings.	Porter.
Daniel.	Ramsey.
Davis.	Renfro of Mills.
Denman.	Rogers of Hays.
Enderby.	Rogers of Shelby.
Faulk.	Rowell.
Fly.	Runge.
Forbes.	Sanders.
Fuchs.	Satterwhite.
Gibson.	Shaver.
Gilbert.	Shearer.
Graves.	Sheats.
Hall.	Shirley.
Harman.	Sinks.
Hefley.	Smith of Nueces.
Holland.	Smith of Smith.
Hornaday.	Smyth.
Jacks.	Snelgrove.
Johnson.	Stevenson.
Jones.	Storey.
Kayton.	Sutton.
Kemble.	Swain.
King of Hopkins.	Van Zandt.
Kirkland.	Veatch.
Land.	Waddell.
Loftin.	Wallace of Panola.
Long.	Wallace of Smith.
McCombs.	Ware.
McGill.	Webb.

Whitaker. Williamson.  
Williams Woodall.  
of Sabine. Woodruff.  
Williams of Travis.

## Nays—20.

Avis. Minor.  
Barnett. Nabors.  
Brown. Pearce.  
Eickenroht. Powell.  
Farrar. Renfro  
Harding. of Angelina.  
High. Stout.  
Justice. Walker.  
Kennedy. Wallace  
Lipscomb. of Freestone.  
Loy. Wassell.

## Present—Not Voting.

DeBerry. Turner.  
Duvall. Young.  
Simmons.

## Absent.

Acker. Gray.  
Albritton. Kincaid.  
Beck. Kinneer.  
Boggs. Petsch.  
Dale. Purl.  
Dielmann. Smith of El Paso.  
Dunlap. Teer.  
Durham. Tillotson.  
Finlay. Wells.  
Gates.

## Absent—Excused.

Bonham. McKean.  
Foster. Montgomery.  
Hagaman. Parish of Runnels.  
Holder. Rawlins.  
Kenyon. Reagan.  
King of Smith  
Throckmorton. of Atascosa.  
Kirby. Stell.  
Masterson. Taylor.

HOUSE BILL NO. 140 ON THIRD  
READING.

The Speaker laid before the House,  
on its third reading and final passage,

H. B. No. 140, A bill to be entitled  
"An Act to permit applicants for writs  
of habeas corpus in all criminal cases  
where the maximum penalty for such of-  
fense does not exceed the punishment of  
confinement in the State penitentiary  
for more than ten years, when the relief  
prayed for by such applicant is denied  
by the judge or the court that appli-  
cant's petition is filed in a court of com-  
petent jurisdiction, and appeal is taken  
from such judgment or order of the  
trial court to the Court of Criminal Ap-  
peals of the State of Texas, such appli-

cant may execute a good and sufficient  
bond, to be approved by the court or  
judge as now provided under provisions  
of Title 10 of the Code of Criminal Pro-  
cedure of the State of Texas, 1925, and  
declaring an emergency."

The bill was read third time and was  
passed by the following vote:

## Yeas—109.

Albritton. Murphy.  
Alexander. Nabors.  
Anderson. Nicholson.  
Avis. Olsen.  
Barnett. Parrish of Travis.  
Barron. Pavlica.  
Bass. Pearce.  
Beck. Petsch.  
Boggs. Poage.  
Boon. Pool.  
Branch. Pope.  
Brown. Porter.  
Conway. Powell.  
Cornwell. Purl.  
Cox. Ramsey.  
Cummings. Renfro  
Dale. of Angelina.  
Daniel. Rogers of Hays.  
DeBerry. Rogers of Shelby.  
Denman. Rowell.  
Dielmann. Runge.  
Duvall. Sanders.  
Enderby. Satterwhite.  
Farrar. Shaver.  
Faulk. Shearer.  
Fly. Sheats.  
Forbes. Shirley.  
Fuchs. Simmons.  
Gates. Sinks.  
Gibson. Smith of Nueces.  
Gilbert. Smith of Smith.  
Graves. Snelgrove.  
Gray. Storey.  
Hall. Sutton.  
Harman. Swain.  
Hefley. Van Zandt.  
High. Veatch.  
Holland. Waddell.  
Hornaday. Walker.  
Johnson. Wallace  
Jones. of Freestone.  
Justice. Wallace of Panola.  
Kayton. Wallace of Smith.  
Kemble. Ware.  
King of Hopkins. Wassell.  
Kirkland. Webb.  
Land. Wells.  
Lipscomb. Whitaker.  
Long. Williams  
Loy. of Sabine.  
McCombs. Williams  
McGill. of Travis.  
Merritt. Williamson.  
Minor. Woodall.  
Morse. Woodruff.  
Moursund. Young.

## Nays—1.

Bird.

Present—Not Voting.

Bateman.	Kennedy.
Black.	Stout.
Eickenroht.	Turner.

Absent.

Acker.	Loftin.
Davis.	Moore.
Dunlap.	Renfro of Mills.
Durham.	Smith of El Paso.
Finlay.	Smyth.
Harding.	Stevenson.
Jacks.	Teer.
Kincaid.	Tillotson.
Kinnear.	

Absent—Excused.

Bonham.	McKean.
Foster.	Montgomery.
Hagaman.	Parish of Runnels.
Holder.	Rawlins.
Kenyon.	Reagan.
King of	Smith
Throckmorton.	of Atascosa.
Kirby.	Stell.
Masterson.	Taylor.

(Mr. Jacks in the chair.)

## HOUSE BILL NO. 231 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 231, A bill to be entitled "An Act to authorize the judge of any district court, or other court having jurisdiction, to appoint a receiver or receivers for any defunct or disorganized church or congregation and authorize the management, sale or other disposition of any and all properties, real, personal, mixed and choses in action; and authorizing such court in such cases where such church or congregation may not in the judgment of such court be reorganized within reasonable time, to deliver such property or its proceeds to a church or congregation, a religious or governing body or other ecclesiastical head, or a State missionary society of like faith and order, to be used or expended for the use of a church, churches, denomination or communion of like faith and order, and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—101.

Albritton.	Anderson.
Alexander.	Avis.

Barron.	Nabors.
Bass.	Nicholson.
Beck.	Olsen.
Bird.	Parrish of Travis.
Black.	Pearce.
Boggs.	Poage.
Boon.	Pool.
Branch.	Pope.
Brown.	Porter.
Conway.	Powell.
Cornwell.	Purl.
Cox.	Renfro
Cummings.	of Angelina.
Daniel.	Renfro of Mills.
Davis.	Rogers of Shelby.
Denman.	Rowell.
Dielmann.	Runge.
Dunlap.	Sanders.
Duvall.	Satterwhite.
Enderby.	Shaver.
Farrar.	Shearer.
Faulk.	Sheats.
Fly.	Shirley.
Forbes.	Simmons.
Gates.	Sinks.
Gibson.	Smith of Nueces.
Gilbert.	Smith of Smith.
Graves.	Snelgrove.
Gray.	Storey.
Hall.	Sutton.
Harding.	Swain.
Harman.	Teer.
Hefley.	Van Zandt.
High.	Veatch.
Holland.	Waddell.
Hornaday.	Walker.
Jacks.	Wallace
Jones.	of Freestone.
Justice.	Wallace of Panola.
Kayton.	Ware.
Kemble.	Wassell.
Kennedy.	Webb.
Kirkland.	Wells.
Land.	Whitaker.
Lipscomb.	Williams
Long.	of Travis.
Minor.	Williamson.
Morse.	Woodall.
Moursund.	Woodruff.
Murphy.	

## Nays—10.

Bateman.	McGill.
DeBerry.	Moore.
Eickenroht.	Ramsey.
Fuchs.	Williams
Johnson.	of Sabine.
McCombs.	

Present—Not Voting.

Barnett.	Stout.
Loy.	Turner.
Pavlica.	Wallace of Smith.
Rogers of Hays.	Young.

Absent.

Acker.	Dale.
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Durham.	Merritt.
Finlay.	Petsch.
Kincaid.	Smith of El Paso.
King of Hopkins.	Smyth.
Kinnear.	Stevenson.
Loftin.	Tillotson.

Absent—Excused.

Bonham.	McKean.
Foster.	Montgomery.
Hagaman.	Parish of Runnels.
Holder.	Rawlins.
Kenyon.	Reagan.
King of	Smith
Throckmorton.	of Atascosa.
Kirby.	Stell.
Masterson.	Taylor.

#### SENATE BILLS ON FIRST READING.

The following Senate bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees as follows:

Senate bill No. 69, to the Committee on Agriculture.

Senate bill No. 71, to the Committee on Labor.

Senate bill No. 115, to the Committee on Banks and Banking.

#### HOUSE BILL NO. 223 ON SECOND READING.

On motion of Mr. Young, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 223, A bill to be entitled "An Act to amend Article 4351, Revised Civil Statutes, 1925, by adding thereto Article 4351a, limiting the amount of deficiency warrants the Governor may approve; declaring all warrants in violation hereof invalid and unredeemable, and declaring an emergency."

(Speaker in the chair.)

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

#### RELATING TO HOUSE BILL NO. 274.

On motion of Mr. Purl, by unanimous consent, the Engrossing Clerk was authorized to make certain correction in House bill No. 274.

#### BILLS RECOMMITTED.

On motion of Mr. Anderson, House bill No. 111 was recommitted to the Judiciary Committee.

On motion of Mr. Anderson, House bill No. 377 was recommitted to the Committee on Criminal Jurisprudence.

#### ADJOURNMENT.

On motion of Mr. Wallace of Freestone, the House, at 5 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

#### APPENDIX.

#### STANDING COMMITTEE REPORTS.

The following standing committees have today filed favorable reports on bills, as follows:

Liquor Traffic: House bill No. 327.

Judicial Districts: House bill No. 334.

Insurance: House bills Nos. 205, 307, 300.

Criminal Jurisprudence: House bills Nos. 13, 63.

Judiciary: Senate bill No. 18; House bill No. 277.

Highways and Motor Traffic: House bill No. 250.

Agriculture: Senate bill No. 87.

Revenue and Taxation: Senate bill No. 60; House bill No. 382.

The following standing committees have today filed adverse reports on bills, as follows:

School Districts: House bill No. 216; Senate bill No. 31.

Insurance: House bill No. 244.

State Affairs: House bill No. 22.

Criminal Jurisprudence: House bill No. 299.

Judiciary: House bills Nos. 329, 328, 375, 345.

Agriculture: House bill No. 267.

Highways and Motor Traffic: House bills Nos. 361, 126, 157, 104, 62, 156.

#### REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, January 28, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 57, A bill to be entitled "An Act to amend Articles 2238, 2239 and 2240, of the Revised Civil Statutes of Texas of 1925, by adding Articles 2242a and 2241b, providing that if appellant or his attorney delivers bills of exceptions and statements of fact to appellee or his attorney, and same are not returned to the appellant or his attorney, approved or disapproved within ten days after same have been delivered

to him, the judge of the trial court shall thereupon, on proof being offered by appellant or his attorney that ten days or more have elapsed and that said bills of exception and statements of facts have not been returned to appellant or his attorney, make out and file proper bills of exceptions and statement of facts,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,

Austin, Texas, January 28, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 313, A bill to be entitled "An Act amending Title 8, Article 199, of the Revised Civil Statutes of the State of Texas, 1925, p. 100, Subdivision 47, third paragraph, by providing for the reorganization of the Forty-seventh Judicial District, naming the counties constituting the same, and creating and organizing the One Hundred and Eighth Judicial District of Texas, and naming the county constituting same; fixing the times and terms of the holding of the district court in the counties of such respective districts; and providing for the appointment of a district judge for the One Hundred and Eighth Judicial

District, and making provisions in reference to processes issued, bonds and recognizances made and grand and petit jurors drawn before this act takes effect, and providing for the continuance in office of the judge and district attorney, respectively, for the Forty-seventh Judicial District; also, providing for the jurisdiction of said courts as to civil and criminal business, and fixing the time of taking effect of this act, and providing for the district clerk, and repealing all laws in conflict herewith, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,

Austin, Texas, January 28, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 137, A bill to be entitled "An Act to amend Article 2350 of the Revised Civil Statutes of Texas, changing the year upon which is based the assessed valuation of taxable properties affected by the act to be amended relating to the compensation of county commissioners, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

**In Memory**  
**of**  
**Hon. W. W. Lawson**

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Mr. DeBerry offered the following resolution:

Whereas, On Thursday, December 16, 1926, at Annona, Red River county, Texas, the Hon. W. W. Lawson, a former member of this body, was called by death.

Mr. Lawson was born April 17, 1854, five miles north of Annona. At the time of his death he was the oldest living native of Annona. He was married to Miss Maggie Rainey on December 19, 1877. She died in 1910. He was married to Mrs. Lizzie Wyse Cooper of DeKalb in 1911. She died only a few weeks preceding his death. He is survived by five children, three brothers and two sisters.

Mr. Lawson was an extraordinary character in many ways. He remained extremely active up to the hour of his death. He took an interest in and played an important part in his community life, county affairs and State politics.

He enjoyed the distinction of being a Sunday School superintendent for forty years. He was notary public for equally that long and for more than ten years served as justice of peace for his precinct. He was a member of the Thirty-first and Thirty-second Legislatures of Texas, during which time he was credited with having accomplished some splendid work.

Mr. Lawson represented the most valuable type of citizenship in that he was an honest and conscientious worker in all the things that go to make up the life of a good citizen. He was loyal to his family, to his church, to his party, to his State, and to his country.

Be it resolved by the House of Representatives, That we extend our heartfelt sympathy to his relatives and numerous friends, and that a page of today's Journal be set aside in memory of Mr. Lawson, and that when we adjourn today that it be in respect to him; and, be it further

Resolved, That the Mailing Clerk be and is hereby instructed to send a copy of this resolution to the members of his family.

The resolution was read second time.

On motion of Mr. DeBerry the resolution was adopted by a rising vote.

**In Memory**  
**of**  
**Hon. Sam Webb**

---

Mr. Pope offered the following resolution:

Whereas, The Hon. Sam Webb of Albany, Shackelford county, Texas, a former member of the House of Representatives, was recently called by the Great Father to his eternal home; and

Whereas, The State has lost one of its most highly honored and faithful citizens, who gave his long and able life to the services of Texas; and

Whereas, Much of the pioneering development of West Texas has been accomplished and enriched by his life and character, covering a period of many years; therefore, be it

Resolved by the House of Representatives, That we express our sympathy to the family and relatives of the deceased, and that a page of the House Journal be set aside today in memory of Mr. Webb, and of his honest and faithful service, and that when the House adjourns today, it be in respect to him; and be it further

Resolved, That the Mailing Clerk be and is hereby instructed to send a copy of this resolution to each of his family.

POPE,  
KING of Throckmorton.

The resolution was read second time and was adopted by a rising vote.